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Notice of Allowability	Application No. Applicant(s)		
	10/506,984	WIND ET AL.	
	Examiner	Art Unit	
	Michael J. Feely	1712	
The MAILING DATE of this communication apperature. All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	ears on the cover sheet wi (OR REMAINS) CLOSED in) or other appropriate comm IGHTS. This application is a 3 and MPEP 1308.	th the correspondence address n this application. If not included unication will be mailed in due course. THIS	ive
	<u>8/U5</u> .		
2. The allowed claim(s) is/are <u>1-24</u> .			
 Acknowledgment is made of a claim for foreign priority una) All b) Some* c) None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have Horizontal Bureau (PCT Rule 17.2(a)). 	e been received. e been received in Application	on No	
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file IENT of this application.	a reply complying with the requirements	
4. A SUBSTITUTE OATH OR DECLARATION must be subminformal PATENT APPLICATION (PTO-152) which give	nitted. Note the attached EX es reason(s) why the oath o	AMINER'S AMENDMENT or NOTICE OF r declaration is deficient.	
5. CORRECTED DRAWINGS (as "replacement sheets") must	st be submitted.	•	
(a) including changes required by the Notice of Draftspers		v (PTO-948) attached	
1) hereto or 2) to Paper No./Mail Date			
(b) ☐ including changes required by the attached Examiner' Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	.84(c)) should be written on the header according to 37 CF	he drawings in the front (not the back) of R 1.121(d).	
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT	SIT OF BIOLOGICAL MATE FOR THE DEPOSIT OF BIO	ERIAL must be submitted. Note the DLOGICAL MATERIAL.	
Attachment(s) 1. ☑ Notice of References Cited (PTO-892)	5. ☐ Notice of In	formal Patent Application (PTO-152)	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. 🛛 Interview S	ummary (PTO-413),	
3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 0805		Mail Date <u>1005</u> . Amendment/Comment	
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiner's 9. □ Other	Statement of Reasons for Allowance	

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Loren D. Albin (Reg. No. 37,763) on October 26, 2005.

The application has been amended as follows:

In the claims:

14. (Currently Amended) A method of making a coating composition, comprising the steps of:

blending and epoxy material, a reactive diluent, and an acrylic resin;

reacting the epoxy material and the acrylic resin to form an epoxy acrylate resin;

dispersing the reactive diluent and the epoxy acrylate resin into water; and

polymerizing the reactive diluent, wherein the aqueous coating composition formed has a

volatile organic compound content of no greater than 0.4 kilogram per liter of solids, and

wherein the composition further comprises an initiator selected from the group consisting

of benzoyl peroxide, t-butyl hydroperoxide, ammonium persulfate, hydrazine, ammonium sulfites, alkali metal sulfites, bisulfites, metabisulfites, hydrosulfites, and combinations thereof.

15. (Currently Amended) A method of making a coating composition, comprising the steps of:

blending and epoxy material, a reactive diluent, and an acrylic resin;

reacting the epoxy material and the acrylic resin to form an epoxy acrylate resin;

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peroxide.

dispersing the reactive diluent and the epoxy acrylate resin into water; and polymerizing the reactive diluent, wherein the aqueous coating composition formed has a volatile organic compound content of no greater than 0.4 kilogram per liter of solids, and wherein the composition further comprises an initiator comprising benzoin and hydrogen

23. (Currently Amended) A coating composition prepared by the method of claim 1.

Allowable Subject Matter

2. Claims 1-24 are allowed.

The following is an examiner's statement of reasons for allowance: each of the independent claims feature the following method steps: (a) blending and epoxy material, a reactive diluent, and an acrylic resin; (b) reacting the epoxy material and the acrylic resin to form an epoxy acrylate resin; (c) dispersing the reactive diluent and the epoxy acrylate resin into water; and (d) *polymerizing the reactive diluent*, wherein the aqueous coating composition formed has a volatile organic compound content of no greater than 0.4 kilogram per liter of solids.

Applicant defines "reactive diluent" on page 5 of the specification: "As used in the present invention, "reactive diluent" relates to monomers and oligomers that are essentially non-reactive with the epoxy resin or any carboxylic acid moiety that might be present, e.g., on the acrylic resin, under contemplated blending conditions. The reactive diluents useful in the present

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invention are also capable of undergoing a reaction to form a polymer, described as an interpenetrating network with the epoxy acrylate, or with the unsaturated moieties that may optionally be present, e.g., on the acrylic resin."

In light of this, the Noda et al. reference (US Pat No. 5,840,384) would no longer apply. The reactive diluents of Noda et al. (aminoplast or polyether-polyol) do not conform to this definition of "reactive diluent".

Other notable references are Votteler et al. (US 2003/0176527) and Jin et al. (US 2002/0016226). These are similar to instant invention; however, these are not aqueous systems.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Communication

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Feely whose telephone number is 571-272-1086. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Feely Primary Examiner Art Unit 1712

October 28, 2005

MICHAEL FEELY
PRIMARY EXAMINER